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REMARKS**Claims rejections under 35 USC 112**

The Applicant notes the 35 USC 112 objections in the office action. Accordingly the applicant has made the necessary word changes to independent claims 58 and 68, and dependent claim 66 to address these objections. The Applicant has also corrected several grammatical and punctuation issues.

Claims rejections under 35 USC 103

The Examiner has rejected claims 58-62, 64, and 66, 68-71, 73-74, and 76-77 as being unpatentable over Yeager in view of Davis. The Applicant has amended independent claims 58 and 68 herein to further distinguish his art from the prior art noted in the Office Action.

Independent Claims 58 and 68

The Applicant has amended independent claims 58 and 68 herein to further distinguish his art from the prior art noted in the Office Action. Amended claims 58 and 68 are amended and pending in the application and are submitted for review.

Specifically, the applicant has added the element "means of simultaneously transmitting data and power to and from said storage device during said docking or porting via either contact or non contact capacitance or inductance elements." to independent claims 58. A similar element has been added to independent claim 68 "simultaneously transmitting data and electrical power to and from said storage devices during said docking porting via either contact or non-contact capacitance or inductance elements." The applicant points out that the art of this element is taught in Reeves 6,747, 561 (application 09/597,107) which has been incorporated into this application by reference. This new element more distinctly

points out the unique and novel art in the application and clearly distinguishes it from the prior art of Yeager and Davis cited herein. Specifically Yeager (page 7, 1-20) teaches a system that uses a Dallas Semiconductor Datacell memory storage cell (see ibutton.com on the Internet) The applicant is very familiar with these devices and technology. These devices rely on probes that make physical contact with the storage device to read and write data to the storage devices. The steel shell of these storage devices is a conductor that allows data to be transmitted through the shell to the probe via physical contact. Yeager does not in any way teach the art of simultaneous transfer of data and power and from his storage device during porting or docking using non-contact or contact capacitance or inductance elements. Davis teaches a data cell that uses a CMOS chip and an electrically conductive flex circuit for transmitting data to and from his storage device. In no way does Davis teach the art of simultaneous data and power transmission to and from his storage device during docking or porting using capacitance or inductance elements. Additionally Reeves 6.747, 561 teaches art for synchronizing the simultaneous transfer of data and power to and from the storage device to maximize data transfer speeds with minimal power requirements. Neither Yeager or Davis teach such art in the cited patents.

References MPEP 2143-2143-2143.03 outline decisions pertinent to the criterion for valid rejections under USC 103. These references and the patent statutes describe three basic criterion which the Examiner must meet: 1) some suggestion or motivation in the cited references to combine the cited references, 2) there must be a reasonable

expectation of success, 3) the prior art references, or the references when combined, must teach each and every of the claim limitations. The teaching or suggestion to make the cited combination and the reasonable expectation of success must both be found in the prior art and not based on the applicant's disclosure. Further, the patent statutes do not allow the Examiner to view the Applicant's art with impermissible hindsight in regard to combining said prior art references.

Claims 58 and 68 are being rejected under 35 USC 103 as being unpatentable over Yeager, in view of Davis. The Applicant has amended these claims herein to further distinguish his art from the prior art. For at least the above reasons the combined prior art of Yeager in view of Davis does not teach each and every element of claims 58 and 68 to support an obviousness rejection under 35 USC 103. In addition, there is nothing within either Yeager or Davis that suggests they would be motivated to teach the art within this application and there is no suggestion of an expectation of success by Yeager and Davis. Therefore, the rejection of claims 58 and 68 under 35 USC 103 as being unpatentable over Yeager in view of Davis should be withdrawn.

Claims 59-62, 64 and 66 depend from claim 58. Therefore, the reasons set forth above distinguishing claim 58 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Yeager in light of Davis does not teach each and every element of claims 59-62, 64, and 66 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claims 59-62, 64 and 66 under 35 USC 103 as being unpatentable over Yeager, in view of Davis should be withdrawn.

Claims 69-71, 73-74, and 76-77 depend from claim 68. Therefore, the reasons set forth above distinguishing claim 68 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Yeager in light of Davis does not teach each and every element of the process claims 69-71, 73-74, and 76-77 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claims 69-71, 73-74, and 76-77 under 35 USC 103 as being unpatentable over Yeager, in view of Davis should be withdrawn.

Claim 75 depends from claim 68. Therefore, the reasons set forth above distinguishing claim 68 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Yeager in light of Davis does not teach each and every element of the process of claim 75 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claim 75 under 35 USC 103 as being unpatentable over Yeager, in view of Davis should be withdrawn.

Claims 63, 65, and 67 depend from claim 58. Therefore, the reasons set forth above distinguishing claim 58 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Yeager in light of Davis and Linder does not teach each and every element of claims 63, 65, and 67 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claims 63-65, and 67 under 35 USC 103 as being unpatentable over Yeager, in view of Davis and Linder should be withdrawn.

Claim 72 depends from claim 68. Therefore, the reasons set forth above distinguishing claim 68 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Yeager in light of Davis and Linder does not teach each and every element of the process of claim 72 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claim 72 under 35 USC 103 as being unpatentable over Yeager, in view of Davis and Linder should be withdrawn.

The applicant respectfully submits that all 112 and 103 rejections to the claims have been addressed by virtue of these amended claims. The applicant respectfully requests that the examiner allow amended claims 58-77 as presented herein.

The applicant respectfully submits that a petition for expedited examination for this application was granted in 2004, and the applicant respectfully requests an expedited examination of this response.



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